

SECTION 2: ACID RAIN PROGRAM RULE

2.1 Rule Provisions

Changes to the Acid Rain Program at the federal level due to the merge with CAIR, require the state to modify its Acid Rain rule at LAC 33:III.505. These changes enable the CAIR SO₂ cap and trade program to accept Acid Rain SO₂ allocations for trading, selling, and/or determining compliance with the CAIR SO₂ program.

The rule AQ259ft, Incorporation by Reference of the Acid Rain Program, will ensure continuity between the Acid Rain Program and the implementation of the CAIR SO₂ Program. The proposed rule revision incorporates by reference the following federal provisions published in 40 CFR Part 72, July 1, 2005, and as revised at 70 FR 25162-25210, May 12, 2005, and 71 FR 25328-25469, April 28, 2006:

- Acid Rain Program General Provisions;
- Designated Representative;
- Acid Rain Permit Applications;
- Acid Rain Compliance Plan and Compliance Options;
- Acid Rain Permit Contents;
- Federal Acid Rain Permit Issuance Procedures;
- Acid Rain Phase II Implementation;
- Permit Revisions;
- Compliance Certification;
- Methodology for Annualization of Emissions Limits;
- Methodology for Conversion of Emissions Limits;
- Actual 1985 Yearly SO₂ Emissions Calculation; and
- Calculation of Potential Electric Output Capacity.

The proposed rule is included in Appendix B.

2.2 Public Notice

In accordance with La. R.S. 49:950 et seq., and to comply with 40 CFR 51.285 Public Notification, the Louisiana Department of Environmental Quality published a notice seeking comment on this rule revision on June 20, 2006, in the *Louisiana Register*. A public hearing concerning this proposed rule revision will be held at 1:30 p.m. on July 25, 2006, in the Galvez Building, Oliver Pollock Room C111, at 602 N. Fifth Street, Baton Rouge, Louisiana. Interested parties are invited to submit written or oral comments on the proposal at that time. The comment period will close at 4:30 p.m. on August 24, 2006. Written comments will be accepted via mail, fax, or email. A copy of the notice is included in Appendix B.